

### **REMARKS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-20 are pending in the present application. Claims 1 and 20 are amended. No Claims are cancelled or added. No new matter is added. Applicant gratefully acknowledges the Examiner's withdrawal of the finality of the previous Office Action.

### **§102(B) REJECTIONS**

The outstanding Office Action improperly rejects Claims 1-20 under 35 U.S.C. §102(b) as anticipated by *Ishii* (U.S. Patent No. 5,339,356). For at least the reasons discussed below, Applicant respectfully requests the anticipatory rejections be withdrawn.

As a preliminary matter, Applicant respectfully submits that the outstanding Office Action is improper and incomplete at least for not properly providing a basis for rejecting all pending claims (including the dependent claims). The Office Action's brief, 10-line rejection of all of Applicant's pending claims does not even attempt to address all the various features recited in Applicant's claims. As described in the MPEP, "The goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity." MPEP 706. Rejections should be "fully and clearly stated," and "[a] plurality of claims should never be grouped together in a common rejection, unless that rejection is equally applicable to all claims in the group." MPEP 707.07(d). The Office Action's omnibus rejection does not give Applicant a fair opportunity to reply to the asserted art rejections based on *Ishii*. For example, the Office Action does not appear to address the features recited in at least Claims 7-8, 10, 11,

14-15, and 17-19. Therefore, to provide Applicant a fair opportunity to reply, Applicant respectfully requests a proper non-final Office Action addressing the merits of all pending claims.

To expedite prosecution, however, Claim 1 is amended to recite, *inter alia*, a first intermediate point operatively connected to a packet-based network, and a second intermediate point operatively connected to the packet-based network. Claim 20 is also amended. Claim 6 recites, *inter alia*, a second intermediate point capable of communicating with the first intermediate point over a computer network.

*Ishii* describes a virtual private network connecting system including number converting units 100 for converting a private office number (ON) to a subscriber number (SN) assigned to a destination PBX unit 1 by the public network 2 and identifying the system of terminating connecting a call from the public network to the destination PBX unit. *Ishii* at Abstract, FIGs. 3-4. Connected to the public network 2 by office lines 3, the PBX units 1 accommodate office extensions 4. *Ishii* at Col. 3, ll. 25-27.

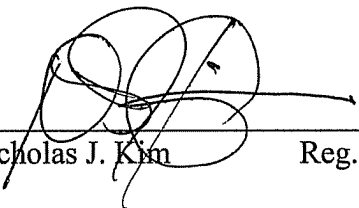
*Ishii* does not disclose any components of the virtual private network connecting system operatively connected to or operating over a packet-switched network or a computer network. Instead, *Ishii* provides a system to connect a call between two circuit-switched private office networks over the public network 2, or Public Switched Telephone Network (PSTN). *See Ishii* at FIGs. 3-5; Col. 4, l. 63 – Col. 5, l. 53. Thus, it is respectfully submitted that *Ishii* does not teach or suggest all features recited in Applicant's claims.

Accordingly, Applicant respectfully requests withdrawal of the art rejections based on *Ishii*.

It is also submitted that the remaining dependent claims are each patentable at least by virtue of their dependence without need to rely upon the further patentable limitations contained therein. Accordingly, withdrawal of the art rejections is respectfully solicited.

For at least the reasons discussed above, Applicant respectfully submits that the present application is in condition for formal allowance. Accordingly, an early and favorable reconsideration of this application is respectfully requested.

Respectfully submitted,



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